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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/083,764

02/25/2002

Pia C. Licciardi

4364-4000

7512

7590

12/08/2003

MORGAN & FINNEGAN, L.L.P.

345 Park Avenue

New York, NY 10154-0053

EXAMINER

BALSIS, SHAY L

ART UNIT

PAPER NUMBER

1744

DATE MAILED: 12/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/083,764

Applicant(s)

LICCIARDI, PIA C.

Examiner

Shay L Balsis

Art Unit

1744

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 July 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 July 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the side surface of the mop head extending beyond the side surface of the support member, as claimed in claims 5, 10 and 14, must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Thomas (USPN 3465377).

Thomas teaches a mop head comprising a top surface, a bottom surface and two side surfaces. The side surfaces have a sculpted cutout (7) that corresponds to the shape of a quarter round molding. A support member (4) is attached to the top surface of the mop head and a handle (2) is attached to the support member. The side surfaces of the mop head extend beyond the side surfaces of the support member (figure 1). In use, the mop can be used to clean both flooring and chair/supporting structure molding at the same time (col. 2, lines 31-36).

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4. Claims 1-14, 17-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Rebernak (USPN 3038188).

Rebernak teaches a mop head comprising a top surface, a bottom surface and two side surfaces. The side surfaces have a sculpted cutout (27, 28, figure 2) that corresponds to the shape of a quarter round molding. A support member (16) is attached to the top surface of the mop head and a handle (20) is attached to the support member. The side surfaces of the mop head extend beyond the side surfaces of the support member (figure 1).

5. Claims 1-14, 17-19 are rejected under 35 U.S.C. 102(b) as anticipated by Cormier (USPN 5067197).

Cormier teaches a mop head comprising a top surface, a bottom surface and two side surfaces. The side surfaces have a sculpted cutout (18, 19) that corresponds to the shape of a quarter round molding. A support member (16) is attached to the top surface of the mop head and a handle (14) is attached to the support member. The side surfaces of the mop head extend beyond the side surfaces of the support member (figure 1).

6. Claims 1-14, 17-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Wheeler (USPN 3214779).

Wheeler teaches a mop head comprising a top surface, a bottom surface and two side surfaces. The side surfaces have a sculpted cutout (col. 2, lines 18-21 and figures 1 and 2) that corresponds to the shape of a quarter round molding. A support member (12) is attached to the top surface of the mop head and a handle (15) is attached to the support member. The side surfaces of the mop head extend beyond the side surfaces of the support member (figure 1).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 15-16 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Rebernak (USPN 3038188).

Rebernak teaches all the essential elements of the claimed invention however is silent as to cleaning the flooring and molding at the same time. It would have been obvious to one of ordinary skill in the art at the time the invention was made to clean both the floor and the molding with Rebernak's invention since there is a cutout in the side surfaces that would allow for cleaning of the molding while cleaning the floor. Additionally, claim 15 recites that the floor and molding are cleaned together as intended use only. Therefore claim 16, merely states that the floor and molding are cleaned together making no mention of how. Therefore, the cutout of Rebernak does not need to be in contact with the molding but only a side surface needs to be in contact with the molding to allow the floor and molding to be cleaned together.

9. Claims 15-16 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Cormier (USPN 5067197).

Cormier teaches all the essential elements of the claimed invention however the reference is silent as to cleaning the use many uses of the mop. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the mop to clean both the floor

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and the molding with Cormier's invention since there is a cutouts in the side surfaces that would allow for cleaning of the molding while cleaning the floor. Additionally, claim 15 recites that the floor and molding are cleaned together as intended use only. Therefore claim 16, merely states that the floor and molding are cleaned together making no mention of how. Therefore, the cutout of Cormier does not need to be in contact with the molding but only a side surface needs to be in contact with the molding to allow the floor and molding to be cleaned together.

10. Claims 15-16 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Wheeler (USPN 3214779).

Wheeler teaches all the essential elements of the claimed invention however the reference is silent as to cleaning the use many uses of the mop. Wheeler teaches the cleaning device has cutouts to all for cleaning any contour. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the mop to clean both flooring and molding with Wheeler's invention since there is a cutouts in the side surfaces that would allow for cleaning of the molding while cleaning the floor. Additionally, claim 15 recites that the floor and molding are cleaned together as intended use only. Therefore claim 16, merely states that the floor and molding are cleaned together making no mention of how. Therefore, the cutout of Wheeler does not need to be in contact with the molding but only a side surface needs to be in contact with the molding to allow the floor and molding to be cleaned together.

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shay L Balsis whose telephone number is presently 703-305-

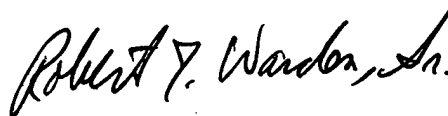
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7275 and after December 16, 2003 571-272-1268. The examiner can normally be reached on 7:30-5:00 M-Th, alternating F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert J. Warden can be reached on 703-308-2920. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9310.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-5665.

Slb
11/25/03


ROBERT J. WARDEN, SR.
SUPERVISORY PATENT EXAMINER
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